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3:09 pm, Sep 06 2022

AT BALTIMORE
 CLERK, U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 BY _____ Deputy

TMS: USAO 2022R00523

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

JUSTIN KUCHTA,

Defendant

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CASE NO. 22-2526 BPG

FILED UNDER SEAL

**AFFIDAVIT IN SUPPORT OF
 CRIMINAL COMPLAINT AND ARREST WARRANT**

Your Affiant, Jessica O'Shea, being duly sworn, deposes and states the following:

Introduction and Agent Background

1. Your Affiant is an investigative or law enforcement officer of the United States, within the meaning of 18 U.S.C. § 2510(7) who is empowered by law to conduct investigations and to make arrests for, offenses enumerated in 18 U.S.C. § 2516. I am a Special Agent with the United States Capitol Police ("USCP") and have been so employed since January 11, 2016. I am currently assigned to the USCP Investigations Division, Threat Assessment Section. I have completed federal law enforcement training in numerous investigative techniques and am a certified criminal investigator through the Federal Law Enforcement Training Center. In the course of my employment as a Special Agent with the USCP, I have received training regarding the application for and execution of both search and arrest warrants. I have received training in assessing and managing individuals who have communicated threats and engaged in behaviors associated with targeted violence. In my current assignment, I have participated in and conducted investigations involving threatening communications, both locally and interstate.

2. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of a complaint and arrest warrant, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause. I have not, however, excluded any information known to me that would defeat a determination of probable cause. The information contained in this affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers and other individuals. All conversations and statements described in this affidavit are related in substance and in part unless otherwise indicated.

3. Your Affiant respectfully submits that, based on the facts set forth herein, there is probable cause to believe that on or about July 18, 2022, **JUSTIN KUCHTA** (“**KUCHTA**”) committed a violation of 18 U.S.C. § 875(c) (Interstate Communication Containing a Threat to Injure).

Probable Cause

4. On July 18, 2022, the USCP received a report from a staff member for U.S. Member of Congress 1’s district office which is located in Texas. The staff member reported an Eventbrite message from Email Address 1 which was received on July 18, 2022 at 11:28 a.m., and stated the following: “Thank you for the address!!! I’m coming to murder all of you Satanist fuckers!!! Especially the chuckle-fuck Zodiak [sic] Killer [Member of Congress 1]!! That fat fake fucker ass will be the first on the gallows!! SEE ALL OF YOU FUCKERS REALLY SOON!!! With my fresh militia and weapons!!! Thanks for the info fuckers!!!”

5. On July 22, 2022, the USCP received a report from Member of Congress 1’s office of a message sent via Eventbrite from Email Address 1 which stated the following: “WE ARE

COMING FOR CHUCKLEFUCK ZODIAK [sic] KILLER [Member of Congress 1]!!! THANKS FOR THE ADDRESS AND INVITE, SEE YOU ALL SOON ENOUGH!!!!” The Eventbrite service was being used by an event planner to coordinate an event held outside the State of Maryland, being attended by Member of Congress 1.

6. Records provided by Eventbrite.com pursuant to an Emergency Disclosure Request identify the IP address used to send the July 18, 2022 message as 167.102.245.34.

7. An open source internet search revealed that IP Address 167.102.245.34 is registered to networkMaryland, a private high-speed network operated by the State of Maryland.

8. On July 27, 2022, staff for networkMaryland provided records to USCP which identified that the IP Address 167.102.245.34 originated from a Virtual Private Network within the State of Maryland, and computer assigned to **KUCHTA**, on the dates and times that the above messages were sent.

9. On August 3, 2022, your Affiant and another agent interviewed **KUCHTA** at his place of employment in Annapolis, Maryland. Initially, **KUCHTA** denied sending the messages. Later during that interview, after being advised that it was a federal crime to lie to a federal law enforcement officer, **KUCHTA** admitted sending the July 18, 2022 threat. During the interview, **KUCHTA** stated that he was working at home on his government-issued computer on July 18, 2022, and that he sent the Eventbrite message on that date.

(cont'd)

Conclusion

10. Based on the forgoing, probable cause exists that **KUCHTA** violated 18 U.S.C. § 875(c). Accordingly, your Affiant requests that the Court authorize a complaint and arrest warrant for **JUSTIN KUCHTA**.

Jessica R. O'Shea
Jessica O'Shea
Special Agent
United States Capitol Police

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) this 6th day of September, 2022.

Beth P. Gesner

HONORABLE BETH P. GESNER
CHIEF UNITED STATES MAGISTRATE JUDGE

